

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN P. "JACK" FLYNN and LESLIE A. FLYNN,

Plaintiffs,

-v-

CABLE NEWS NETWORK, INC.,

Defendant.

CIVIL ACTION NO.: 21 Civ. 2587 (GHW) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the in-person discovery conference held today, October 28, 2022, the Court orders as follows:

1. By **Friday, November 11, 2022**, counsel for Defendant Cable News Network, Inc. ("CNN") shall (i) exercise reasonable efforts to determine who created the truncated clip of the July 4, 2020 video that appears in the report at issue (the "Clip"), (ii) submit the documents withheld as privileged, (see ECF No. 86), through the Court's file-share system for in camera review, and (iii) confer with Donie O'Sullivan to inquire whether he communicated with anyone telephonically regarding the Clip within seven (7) days preceding its publication. The Court will email counsel with instructions for submitting the privileged documents through the Court's file-share system. CNN shall identify the documents withheld as privileged by their corresponding privilege log numbers.
2. By **Wednesday, November 9, 2022**, counsel for Plaintiff John P. "Jack" Flynn and Leslie A. Flynn (together, the "Flynnns") shall prepare (i) the notarized consents of Leslie

Flynn, Lori Flynn, and Joseph “Joe” Flynn that are necessary for CNN to obtain their social media account data from Parler, and (ii) execute Stored Communications Act releases for the Flynn, General Michael Flynn, Michael Flynn, Jr., Joseph “Joe” Flynn, Mary Flynn O’Neill, Valerie Flynn, and Lori Flynn authorizing Twitter, Inc. to release responsive documents from their respective Twitter accounts.

3. By **Friday, November 11, 2022**, the Flynn shall advise CNN which email and social media accounts they have searched and which search terms they used, and the parties shall meet and confer to assess (i) which additional search terms should be applied, and (ii) to which accounts.
4. A telephonic discovery conference is scheduled for **Wednesday, November 23, 2022 at 10:00 a.m.**, on the Court’s conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time. By **5:00 pm on Monday, November 21, 2022**, any party wishing to do so may file a letter of no longer than three (3) pages listing discovery disputes requiring the Court’s attention.
5. The parties shall order a transcript of the Conference and file it on the docket. The parties shall complete the annexed transcript request form and submit one request to: etranscripts@nysd.uscourts.gov by **Monday, October 31, 2022**.

Dated: New York, New York
October 28, 2022

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge

Request for the production of a transcript from an electronic recording

Send one request per completed form to:

etranscripts@nysd.uscourts.gov

Transcripts from an electronic record are generated by a Court Approved Transcriber, NOT the Southern District Court Reporters. The transcript will be delivered to your office and you will be invoiced directly by the transcriber. Submission of this form constitutes an agreement to pay for the transcription services described herein. This form should not be submitted for the purpose of obtaining a price estimate.

NOTE: CJA requests require prior approval by submitting an Auth-24 document in the CJA eVoucher System. If granted, the attorney then submits the etranscripts order form (indicate CJA Request). Upon notification from the transcriber, the attorney will create a CJA 24 Voucher in the eVoucher system.

Today's Date: _____

Case Caption		
DOCKET NUMBER	DATE OF THE HEARING	JUDGE'S NAME

INDICATE SERVICE:

(prices listed are per page)

Daily \$6.66	3 Day \$6.00	7 Day \$5.34	14 Day \$4.68	30 Day \$4.02
-----------------	-----------------	-----------------	------------------	------------------

Your Name	
Firm Name	
Address	
City, State	Zip Code
Telephone Number	
E-mail Address	